

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DATE: July 15, 2013

**JUDGE
MICHAEL H. SCHNEIDER**

**COURT ADMINISTRATOR: Linda Pritchard
COURT REPORTER: Jan Mason**

ALLERGAN, INC.	
VS.	CAUSE NO:
SANDOZ, INC.	6:11cv441

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANTS
(SEE ATTACHED SHEET)	(SEE ATTACHED SHEET)

MINUTES OF FIRST DAY OF BENCH TRIAL

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 8:40 A.M.	ADJOURN: 5:35 P.M.
TIME:	MINUTES:
8:40 am	Case called. Attorneys announced present and ready.
8:44 am	Rule invoked by Mr. Bo Davis.
8:45 am	The Court addressed objections to exhibits. Response by Mr. Barr. Response by Mr. Aendestadt. Response by Mr. Rakoczy.
8:47 am	The Court addressed objections to various documents.
8:50 am	Mr. Ward addressed the Court.
8:51 am	Ms. Brooks addressed the Court. Response by Mr. Alul.
8:57 am	Witnesses sworn: Amy Batoosingh, Chin-Mind Chang, David LeCause, Thorsteinn Loftsson, Timothy Macdonald, Robert Maness, Robert Noecker, Peter Fritz Kador, Howard M. Leibowitz, Soumyajit Majumdar and John Robert Samples.

8:57 am	Witnesses placed under the Rule.
9:03 am	Plaintiff's opening statement by Ms. Brooks.
9:24 am	Recess taken.
9:41 am	Court reconvened.
9:42 am	Defendant's opening statement by Mr. David Doyle.
9:59 am	Defendant's opening statement by Ms. DeRieux.
10:05 am	Chin-Ming Chang, witness previously sworn, called by the plaintiff. Direct examination by Ms. Brooks.
10:06 am	Ms. Brooks offered Plaintiff's Exhibits Nos. 54, 256, 72, 251, 73, 257, 55, 240, 78, 245, 232, 221, 56, 48, 1-5, 62 and 76, and Defendant's Exhibit No. DTX -38. Admitted without objection.
10:08 am	Direct examination of Dr. Chang by Ms. Brooks.
10:45 am	Recess taken.
11:02 am	Court reconvened.
11:02 am	Plaintiff's Exhibit No. 71 offered and admitted without objection.
11:02 am	Continuation of direct examination of Dr. Chang by Ms. Brooks.
11:35 am	Cross-examination of Dr. Chang by Mr. Barr.
11:56 am	DTX-163 identified by the witness.
12:01 pm	Recess taken.
1:16 pm	Court reconvened.
1:17 pm	Defendant's Exhibit Nos. 163, 109, 152, 60. Admitted without objection.
1:18 pm	Continuation of cross-examination of Dr. Chang by Mr. Barr.
1:47 pm	Redirect examination of Dr. Chang by Ms. Brooks.
2:05 pm	Witness excused.
2:05 pm	Amy Batoosingh, witness previously sworn, called by the plaintiff. Direct examination by Ms. Coletti.
2:10 pm	Plaintiff's Exhibit Nos. 48, 49, 135, 142, 164, 213, 214 and 298. Admitted without objection.
2:18 pm	Recess taken.
2:34 pm	Court reconvened.

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2:35 pm	Continuation of direct examination of Amy Batoosingh by Ms. Coletti.
2:56 pm	Cross-examination of Amy Batoosingh by Mr. Rakoczy.
3:31 pm	Recess taken.
3:47 pm	Court reconvened.
3:47 pm	Defendant's Exhibit Nos. 1, 4, 6, 11, 63, 151, 170, 271 and 331 offered. Admitted without objection.
3:48 pm	Cross-examination of Amy Batoosingh by Mr. Acker.
3:50 pm	Redirect examination of Amy Batoosingh by Ms. Coletti.
4:01 pm	Defendant's Exhibit No. 36 offered and admitted without objection.
4:02 pm	Recross-examination of Amy Batoosingh by Mr. Rakoczy.
4:03 pm	Witness excused.
4:03 pm	David LeCause, witness previously sworn, called by the plaintiff. Direct examination by Mr. Thomas.
4:06 pm	Plaintiff's Exhibit Nos. 139, 261 and 261A, 262-B, 263-A and B, 264, 271, 278, 284 and 353-A,B,C,D. Admitted without objection.
4:42 pm	Cross-examination of David LeCause by Mr. Barr.
4:45 pm	Mr. Barr offered Defendant's Exhibits Nos. 135, 108, 140, 412, 143, 120, 127, 125, 802, 796, 797, 798, 799 and Plaintiff's Exhibit No. 353. Admitted without objection.
4:57 pm	Recess taken.
5:06 pm	Court reconvened.
5:06 pm	Continuation of cross-examination of David LeCause.
5:32 pm	Witness stands aside.
5:32 pm	The Court addresses the parties regarding witnesses to be called on Tuesday. Response by Ms. Brooks. Response by Mr. Doyle.
5:35 pm	Court adjourned.

DAVID J. MALAND, CLERK

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By: Linda Pritchard
Courtroom Administrator